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## Privacy Act Statement

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The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

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1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



DECLARATION OF JAMES A. WILKE UNDER 37 CFR 1.68

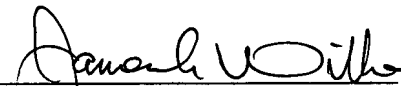
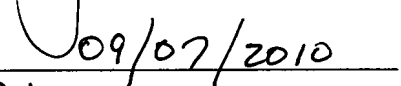
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I am James A. Wilke, the inventor of United States Patent Number 5,779,290 (hereinafter, "the '290 Patent").

2. On or about Thursday, August 12, 2010, I received a Notice of Patent Expiration (hereinafter, "the Notice") regarding the expiration of the '290 Patent on July 14, 2010.
3. Upon looking up the '290 Patent's bibliographic information on the USPTO website, I learned that a reminder to pay the maintenance fee was mailed on or about February 15, 2010.
4. Although I understand that the reminders are mere courtesies and not a shifting of the burden to remember a maintenance payment, I do not recall receiving a reminder in the mail.
5. If I had received a reminder to pay the maintenance fee, I would have paid the maintenance fee in a timely fashion.
6. Since I am a solo inventor, I unintentionally delayed payment of the maintenance fee since I do not have a docketing system to track the maintenance fee due dates of the '290 Patent.
7. Accordingly, in addition to this declaration, I am concurrently submitting the maintenance fee required under 37 CFR 1.20(g), as well as the required surcharge for late payment under 37 CFR 1.20(i)(2).
8. As the delay in payment of the maintenance fee was unintentional, I respectfully request that the '290 Patent is reinstated to its full rights.
9. I acknowledge that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. 1001) and may jeopardize the validity of the patent issuing thereon. All statements made are of my own knowledge are true and that all statements made on information and belief are believed to be true.

  
James A. Wilke  
  
Date